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Attorney's Docket No.: 17248-004002 / 4804B

HE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Aladar Szalay et al.

Art Unit: 1632

Serial No.: 10/849,664

Examiner: Robert M. Kelly

Filed

: May 19, 2004

Cust. No. : 20985

Conf. No.: 7765

Title

: LIGHT EMITTING MICROORGANISMS AND CELLS FOR DIAGNOSIS

AND THERAPY OF DISEASES ASSOCIATED WITH WOUNDED OR

INFLAMED TISSUE

Mail Stop: Amendment Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL

Dear Sir:

Transmitted herewith are a Supplemental Information Disclosure Statement, Form PTO-1449 (10 pages) and cited references for filing in connection with the above-captioned application. Because this Supplemental Information Disclosure Statement is filed prior to receipt of a first Office Action on the merits for the above-captioned application, a fee for filing this statement should not be due. However, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No, 06-1050, as stated below:

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The Commissioner is hereby authorized to charge the fee for the extension of time and any other fee that may be due in connection with this and the attached papers or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully/submitted,

Stephanie V. Seidman Reg. No. 33,779

Dated: August 03, 2005

Attorney Docket No. 17248-004002 / 4804B

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Applicant: Aladar Szalay et al. Art Unit: 1632

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN ACCORDANCE WITH 37 C.F.R. §§ 1.97-1.98

Because this Supplemental Information Disclosure Statement is filed before the receipt of a First Office Action on the Merits for the above-captioned application, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 06-1050.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all information known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Forms PTO-1449 (10 pages) and copies of the cited non U.S. Patent documents are provided herewith.

The documents cited on the Forms PTO-1449 are in the English language, with the exception of items noted below. Item Q (Aksac et al.) is in the Italian language and an English translation of the abstract will be sent under separate cover; Item R (Al'tshtein et al.) is in the Russian language and a complete English translation will be sent under separate cover; Item CC (Feng et al.) is in the Chinese language and includes an English language abstract on the last page of the article; Item DH (Ketlinsky et al.) is in the Russian language and includes an English language abstract on the last page of the article; Item ET (Pekhov et al.) is in the Russian language and includes an English abstract on the last page of the article; and Item FF (Shimizu et al.) is in the Japanese language and includes an English summary on the second page of the article. Further, Item BM is the certified English translation of

Applicant: Szalay et al. Attorney's Docket No.: 17248-004002 / 4804B

Serial No.: 10/849,664 Filed: May 19, 2004

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Timiriasova et al., which was previously submitted as Item FT in the Supplemental Information Disclosure Statement mailed on February 16, 2005. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Applicant also makes known to the Examiner the following pending U.S. and International applications that have one or more common inventors and/or are commonly owned:

U.S. Application No.	Filing Date	Matter No.
10/516,785	12/03/04	004US1 (4804US)

Intl. Application No.	Filing Date	Matter No.
EP 03735553.4	06/05/03	004EP2 (4804BEP)

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and they be made of record in the file history of the above-captioned application.

Respectfully submitted,

Stephanie Seidman Reg. No. 33,779

Dated: August 03, 2005

Attorney Docket No. 17248-004002 / 4804B

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Information

U.S. Department of Commerce Patent and Trademark Office

Attorney's Docket No. 17248-004002/4804B Application No. 10/849,664

List of Patents and Publications for Applicant's

Szalay et al.
Filing Date

May 19, 2004

Applicant

Group Art Unit 1632

(37 CFR §1.98(b))

U.S. Patent Documents

ļ			U.S. Pate	ent Documents			
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	Α	20050031643	02/10/05	Szalay et al.	424	199.1	06/18/04
	В	20040234455	11/25/04	Szalay et al.	424	9.6	06/10/04
	С	20040213741	10/28/04	Szalay et al.	424	9.6	05/19/04
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	Е	5,646,298	07/08/97	Powell et al.	548	427	06/07/95
	F	6,491,905	12/10/02	Sorscher et al.	435	325	10/30/98

	Foreign Patent Documents or Published Foreign Patent Applications							
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Initial	ID	Number	Date	Patent Office	Class	Subclass	Yes	No
	G.	EP 1 512 746	03/09/2005	EP				
	H.	EP 1 526 185	04/27/05	EP				
	I.	WO 00/73479	12/07/2000	PCT				
	J.	WO 88/00617	01/28/1988	PCT				
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	L.	WO 92/22327	12/23/1992	PCT				
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	N.	WO 97/40183	10/30/1997	PCT				
	O.	WO 98/14605	04/09/1998	PCT				

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Examiner Signature

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				Sheet <u>2</u> of <u>10</u>
Substitute For (Modified)	m PTO-1449	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 17248-004002/4804B	Application No. 10/849,664
List of Patents and Publications for Applicant's		Applicant Szalay et al.		
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	W.	ATCC Accession No. 11842		
	X.	ATCC Accession No. 11863		
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	Z.	ATCC Accession No. 15696		
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	AB.	ATCC Accession No. 15707		
	AC.	ATCC Accession No. 15955		
	AD.	ATCC Accession No. 17583		
	AE.	ATCC Accession No. 17836		
	AF.	ATCC Accession No. 19401		
	AG.	ATCC Accession No. 19402		
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	AW.	ATCC Accession No. 824					
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	CK.	Grote et al., "Live attenuated measles virus induces regression of human lymphoma xenografts in immunodeficient mice," Blood 97(12):3746-54 (2001)				

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	DF.	Kawamura et al., "Expression of Esch colon carcinoma cells augments the ar- immunity," Cancer Gene Ther. 7(4):6	ntitumoral effect of 5-fluorourac	yltransferase gene in murine il and induces protective	
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Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 17248-004002/4804B	Application No. 10/849,664
List of Patents and Publications for Applicant's Information Disclosure Statement		Applicant Szalay et al.	
		Filing Date May 19, 2004	Group Art Unit 1632
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	FJ.	encoding B7.1 and interleukin-2 inductions in the Immunother 46(5):261-7 (1998)		·
	FK.	Smyth et al., "Bovine enterovirus as a human cells," Int J Mol Med. 10(1):49	9-53 (2002)	
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	FX.	Webley et al., "Measurement of the control prodrug therapy (ADEPT) in vitro, in (2001)		
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